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REMARKS

Claims 166-173 are pending in the subject application.

Obviousness-type Double Patenting

On page 2 of the September 16, 2004 Office Action, the Examiner rejected claims 166-173 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-36 of U.S. Patent No. 6,413,731.

In an attempt to advance the prosecution of the subject application, but without conceding the correctness of the Examiner's position, applicants enclose herewith a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c). The Terminal Disclaimer states that the captioned application and U.S. Patent No. 6,413,731 are commonly owned.

Accordingly, applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Supplemental Information Disclosure Statement

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following references:

1. United States Patent No. 6,033,872, issued March 7, 2000, Bergsma et al;
2. Gershengorn and Osman, "Insights into G Protein-Coupled Receptor Function Using Molecular Models", *Endocrinology*, 142(1): 2-10 (2001);

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3. T.H. Ji et al, "G Protein-coupled Receptors", *Journal of Biological Chemistry*, 273(28): 17299, 17302 (July 10, 1998);
4. Strachan and Read, Human Molecular Genetics, (BIOS Scientific Publishers Limited, 1996), page 159.

These references are also listed on the Forms PTO/SB/08a and PTO/SB/08b enclosed herewith. A copy of references 2-4 listed above are also enclosed.

It is respectfully requested that the Examiner consider the above information and that a copy of each of the enclosed Forms be returned indicating that such information has been considered. Applicants respectfully request that the Examiner make the cited references of record in the subject application.

The fee for filing a Supplemental Information Disclosure Statement after the issuance of an Office Action on the merits is one hundred eighty dollars (\$180.00), a check in the amount of \$180.00 is enclosed.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

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No fee, other than the \$110.00 fee for filing a Terminal Disclaimer and the \$180.00 fee for filing a Supplemental Information Disclosure, is deemed necessary in connection with the filing of this Communication. However, if any additional fees are required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 50-3201.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Stephen G. Kalinchak", is written over a horizontal line.

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